



1641  
*[Signature]*

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify that the below-identified **Response to Notice of Non-Responsive Amendment** is being deposited as First Class Mail on this date with the United States Postal Service in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: November 12, 2004

By: *Kim L. Wilson*  
Signature of Person Depositing as First Class Mail

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

**PATENT**

Applicant:	Randall W. Nelson	Docket No.:	41821.0236
Serial No.:	09/524,422	Examiner:	Gary W. Counts
Filed:	March 11, 2000	Art Unit:	1641
Title:	MASS SPECTROMETRIC IMMUNOASSAY		

**RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT**


Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Examiner issued a Notice of Non-Responsive Amendment in response to Applicant's amendment filed on July 9, 2004 which cancelled all claims drawn to the elected invention and presented only claims drawn to a non-elected invention. Applicant hereby elects to pursue the claims drawn to the non-elected invention and has filed a divisional application directed to those claims. Applicant is filing this response to the Examiner's Notice of Non-Responsive Amendment, along with a two month extension, in order to keep this application pending so that the divisional application will be considered timely filed. The divisional application directed to claims 23-26 in Applicant's amendment dated July 6, 2004 was filed on November 11, 2004.

Should the Examiner have any questions regarding any aspect of this response, the Examiner is encouraged to contact Applicant's representative at the number indicated below.

Respectfully submitted,

By:   
Laura J. Zeman  
Reg. No. 36,078

**SNELL & WILMER LLP.**  
One Arizona Center  
400 East Van Buren  
Phoenix, Arizona 85004-2202  
Telephone: (602) 382-6377  
Facsimile: (602) 382-6070